



California State Fire Marshal **CODE INTERPRETATION**

Date Issued	2/2/2009	Interpretation	08-057
Topic	Mixed Occupancy Separations		
Code Section(s)	2007 CBC Section 425.3.1; Section 506.4.1; 508.3.3		
Requested by	Wolfgang J. Hack Executive Vice President Director Health Care Division Hill Partnership, Inc. 115 22 nd Street, Newport Beach, CA 92663 (949) 675-4543		

Building Height and Construction Type for Group I-1

Assisted Living and Group R-2: apartments mixed occupancy in same multi-story building.

Section 425.3.1 allows a Group I-1 occupancy licensed as RCFE to be housed in buildings one or two stories in height of V-A (1-hour rated) construction.

Is it permissible to house a Group I-1 occupancy on the first and second floor of a 4-story building of Type V.A. construction, with the third and fourth floor occupied by Group R-2 (apartments)?

Table 503 allows 3-stories of Type V.A. construction for Group R-2 outright, with increases of the number of stories and building areas allowed if and when a code compliant fire sprinkler system is installed.

Assuming the building is sprinklered throughout we are increasing the 3-story limit for Group R-2 occupancies to four stories.

Table 503.3.3 requires Group I-1 and R-2 occupancies to be separated by a horizontal 2-hour rated assembly, e.g. concrete slab between the 2nd and 3rd floor. Under these assumptions, is the scenario with the 1 story and 2nd

floor occupied by Group I-1 and 3rd and 4th floor occupied by Group R-2 permissible in a Type V.A structure?

If a 4-story building occupied as described above is not permissible, is it possible to house the Group I-1 occupancy on the 1st and 2nd floor of a 3-story Type V.A structure, with the 3rd floor occupied by R-2 (apartments), with the same horizontal 2-hour rated separation between 2nd and 3rd floor and fire sprinkler system throughout?

No, Health and Safety Code Section 13131.5 uses the language "The entire building"...Therefore regardless of the use of a horizontal fire assembly 3, 4 & 5 story buildings shall be Type II FR.

Note: Health and Safety Code Section 13131.5:

c) All of the following building standards shall apply to any multistory building housing nonambulatory persons on the third, fourth, or fifth floor, which is operated as a residential care facility for the elderly and licensed to care for more than six persons:

3) The entire building shall be of Type II fire resistive construction, as described in Chapter 2-19 of Part 2 of Title 24 of the California Code of Regulations.